

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BRIGETTE BATTIEST-RAY,

Plaintiff,

v.

MICHAEL J. ASTRUE, COMMISSIONER
OF SOCIAL SECURITY
ADMINISTRATION,

Defendant.

Case No. 2:12-cv-01676-MMD-CWH


ORDER ADOPTING REPORT AND
RECOMMENDATION (dkt. no. 6)

Before the Court for consideration is the Report and Recommendation of the Honorable C.W. Hoffman, Jr., United States Magistrate Judge, entered January 9, 2013. (Dkt. no. 6.) In a previous Report and Recommendation (dkt. no. 2), the Magistrate Judge denied Plaintiff's request to proceed *in forma pauperis*, determining that based on her reported yearly income and other assets, Plaintiff had sufficient assets to pay the \$350.00 filing fee required to commence a civil action in this Court. The Court adopted the Report and Recommendation. (Dkt. no. 3.) Plaintiff was given thirty (30) days to pay the \$350.00 filing fee, but failed to do so. Instead, she submitted a second application to proceed *in forma pauperis*. (Dkt. no. 4.) The Magistrate found no evidence to warrant reconsideration of the denial of Plaintiff's previous application. (Dkt. no. 6.) No objections have been filed.

The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and determines that Magistrate Judge Hoffman's Report and Recommendation (dkt. no. 6) should be ACCEPTED.

1 IT IS THEREFORE ORDERED Plaintiff's Application to Proceed *in Forma*
2 *Pauperis* (dkt. no. 4) is DENIED. This action is dismissed. The Clerk of the Court is
3 HEREBY ORDERED to close the case.

4 ENTERED this 26th day of February 2013.
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8 MIRANDA M. DU
9 UNITED STATES DISTRICT JUDGE
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